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CONFIDENTIAL

[illegible]
2430 E Street, NW
Washington 25, D.C.

31 March 1949

Mr. Malcolm A. Frost
Head, BBC Monitoring Service
Caversham Park
Reading, England

References: a. Letter dated 3 February 1949, Frost to White (copyright, libel, etc.)

b. Message dated 3 March 1949, White to Frost

Dear Malcolm:

Our General Counsel has just discussed the above references together with the general problems of legal liability of BBC and FBIS employees with me. He plans to present some of the problems involved to the Attorney General for an opinion after I have supplied him with a memorandum outlining exactly what information is disseminated by FBIS employees in England either to BBC, the American Embassy, or to other public agencies, individuals, or private news agencies, and what specific directives are given to FBIS employees concerning such dissemination.

Our General Counsel supports your view that our liability in England would depend on whether the Secretary of State for Foreign Affairs would, in the event of any action, certify that FBIS employees enjoyed sovereign immunity. After consultation with the Legal Adviser to the Department of State, he also considers it advisable to accept your offer to approach the Foreign Office on our behalf to ascertain what their attitude would be in these circumstances before any approach is made through State Department channels. Accordingly, I would be most grateful if you could do this for us and advise.

Thanks very much in advance for your courtesy.

Sincerely,

[redacted]

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